

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

959 CIVIL APPLICATION NO.6977 OF 2019

IN FAST/7327/2019

LAXMI UDHAV LATPATE AND ORS

VERSUS

**UNITED INDIA INSURANCE CO. LTD., THR ITS DIVISIONAL
MANAGER, UARANGABAD**

...

Advocate for Applicants : Mr. Kale Mahesh P.

Advocate for Respondent No.1 : Mr. S.G. Chapalgaonkar

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 21st JUNE 2019

ORDER :

1. Present application has been filed for withdrawal of the amount deposited by respondent No.1. Respondent No.1 has deposited amount of Rs.75,52,860/-. Respondent No.1/original appellant is challenging the quantum in the award that the tribunal ought not to have awarded amount of Rs.2,69,244/-. Therefore, taking into consideration the limited point that is canvassed in the appeal though the amount together with interest has been deposited, case is made out for allowing the applicants to withdraw the amount of Rs.58,00,000/-.

2. Note is also required to be taken that though applicant Nos.3 and 4 were minors at the time of the presentation of the petition before the tribunal, they have attended majority now and therefore, taking into consideration the fact that case is made out to distribute Rs.58,00,000/- and the fact that applicant No.1 would be responsible for the affairs of the domestic expenses to be borne, major portion deserves to be given to her. Out of the said amount of Rs.58,00,000/-, amount of Rs.30,00,000/- be given to applicant No.1 in the form that 50% of the same be given to her by cheque and 50% of the same be invested in Fixed Deposit Account of any Nationalize Bank of her choice for a period of 3 years. Out of the said amount of Rs.58,00,000/-, amount of Rs.10,00,000/- be given to applicant No.5 in the form that 6,00,000/- be given to him by way of cash and rest be invested in Fixed Deposit Account of any Nationalize Bank of his choice for a period of three years. Rest of the amount be distributed to applicant Nos.2, 3 and 4 equally and 50% of the same be invested in their respective names in the

Nationalize Bank of their choice for a period of three years. Rest be given to them by cheque.

3. They should file undertaking that they should make good the said amount, if directed at the time of final disposal of the appeal.

4. Civil Application stands disposed of.

(Smt. Vibha Kankanwadi, J.)

Shubham/